

IN THE SUPREME COURT OF INDIA
CIVIL ORIGINAL JURISDICTION

ARBITRATION PETITION NO(S).66/2026

CEC-SAM INDIA (NC-01) JV

PETITIONER(S)

VERSUS

DELHI METRO RAIL CORPORATION

RESPONDENT(S)

WITH

ARBITRATION PETITION NO(S).67/2026

O R D E R

1. These arbitration petitions under Section 11(6) read with Section 11(12)(A) of the Arbitration and Conciliation Act, 1996 (in short, '1996 Act'), seek the appointment of a nominee arbitrator on behalf of the Respondent-Delhi Metro Rail Corporation to enable the constitution of a three-member arbitral tribunal to adjudicate disputes purportedly arising out of General Conditions of Contract Nos. NC-01, NC-02, and NC-03 dated 25.06.2015.

2. Learned counsel for the Respondent, who is present in Court, has at the outset raised an objection that the Petitioner, which is a Joint Venture ("JV"), is not a foreign entity, but the JV was constituted in India. He, thus, submits that the present petition under Section 11(6) read with Section 11(12)(A) of the 1996 Act is not maintainable before this Court.

3. Faced with this, learned counsel for the Petitioner

seeks permission to withdraw the present petitions with liberty to approach the jurisdictional High Court. Permission is granted.

4. It is made clear that the Respondent shall not be permitted to raise an objection questioning the jurisdiction of the High Court for appointment of the arbitrator on the grounds that the constituent(s) of the JV comprise one or more foreign entities.

5. The petitions are disposed of as withdrawn with liberty as aforesaid.

.....CJI.
(SURYA KANT)

.....J.
(JOYMALYA BAGCHI)

.....J.
(V. MOHANA)

NEW DELHI;
SEPTEMBER 15, 2026

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

Petition(s) for Arbitration No(s).66/2026

CEC-SAM INDIA (NC-01) JV

Petitioner(s)

VERSUS

DELHI METRO RAIL CORPORATION

Respondent(s)

WITH

ARBIT.PETITON No. 67/2026 (PIL-W)

Date : 15-09-2026 This petition was called on for hearing today.

CORAM : HON'BLE THE CHIEF JUSTICE
HON'BLE MR. JUSTICE JOYMALYA BAGCHI
HON'BLE MRS. JUSTICE V. MOHANA

For Petitioner(s) :Mr. Samudra Sarangi, Adv.
Ms. Riya Kalra, Adv.
Mr. Vansh Dhall, Adv.
Mr. Azmat Hayat Amanullah, AOR
Ms. Rebecca Mishra, Adv.

For Respondent(s) :Mr. Tarun Johri, AOR
Mr. Ankur Gupta, Adv.
Mr. Vishwajeet Tyagi, Adv.

UPON hearing the counsel the Court made the following
O R D E R

1. The petitions are disposed of in terms of the signed order.
2. All pending applications, if any, also stand disposed of.

(ARJUN BISHT)
ASTT. REGISTRAR-cum-PS

(PREETHI DILEEP KUMAR)
DY. REGISTRAR

(signed order is placed on the file)